

Noise Control Council Meeting Minutes
June 8, 2004

Attendees

Joe Lepis, Chair Chief Philip Muller Carol Pennenga Deborah Pinto, NJDEP
Dr. Iris Udasin Ed DiPolvere John Kapferer David Triggs, NJDEP

Absent

Dr. Soporowski, George Miller, Mike Lakat, Mike Klewin, Renu Agrawal, Nicholas Fiore and John Surmay.

New York City Noise Code

As a point of interest, New York City is in the process of amending their city noise code for the first time in decades. Among the changes implemented will be a broader range of enforcement without the use of sound level meters. Eric Zwerling, Director of the Rutgers Noise Technical Assistance Center, is involved at some capacity.

New Jersey Noise Rule Amendments

Noise Control Council (NCC) Chairman Joe Lepis met in Trenton with the NJDEP on May 28th to discuss proposed noise code amendments. Some of the amendments include identifying hospitals under both community service and residential categories; identifying a property line boundary of approximately 25 to 50 feet for mixed-use properties; defining interior background sound levels; clarifying public celebrations; expanding on the church bell exception; defining what constitutes a “minor violation” and when a violator is entitled to a grace period; new ambient sound level standards language and enforcement of vehicles entering/leaving and loading/unloading on commercial and industrial properties.

The NCC discussed vehicle traffic traversing commercial and industrial properties. Part of the problem is with the configuration of loading platforms with existing residential properties. A majority of the noise issues could be resolved before they begin with proper planning. The Council agreed to draft a guidance document in conjunction with the NJDEP and the Rutgers Noise Technical Assistance Center that municipal planning and zoning boards could use. Although the Council did not have a quorum, a vote of 5 to 1 was cast against changing the language in the Noise Code to limit delivery times and the volume of vehicles per hour entering and leaving facilities.

Wording added to “Public Celebrations” might include “government sponsored” or “permitted events”.

Clarification on grace periods may only apply to violations of less than 10 decibels, which could be justified as twice the perceived sound heard by an affected person.

Adding “ambient sound level standard” language which would apply to the unique characteristics of towns was discussed. Based on ambient background readings qualified towns might implement stricter daytime and nighttime decibel standards. These towns would have to conduct a new study every five years for continued DEP approval.

It was agreed that decibel readings recording a violation could only be rounded down for enforcement purposes.

Language regarding an enforcement workshop should be removed from N.J.A.C. 7:29-2.11. Language should be added regarding 3-month extensions granted for recertification by the NJDEP for unique circumstances.

Eric Zwerling of RNTAC will be asked to give justification for requiring noise enforcement re-certification every two years as opposed to every three years.

The NJDEP will submit a copy of the draft Noise Code amendments to the Council by the end of June. Although the Council generally recesses over the summer months, another meeting might be called to discuss the changes.

Motor Vehicle Muffler Resolution

The attending NCC members unanimously approved a motor vehicle muffler resolution drafted by Council member Mike Klewin. Although a quorum was not present at the meeting, the 6-0 vote in favor of the resolution was considered a quorum since Mike Klewin, who was not present, wrote the document. The resolution urges police departments to enforce motorcycle muffler noise and offers the Legislative Assembly the Council’s assistance in improving the regulation of noise emissions from motor vehicles.

Possible New Race Track

A NASCAR racetrack is being considered for Millville, New Jersey (Cumberland County). Although it might create new noise issues, the Council agreed that South Jersey would be a logical location due to economic considerations and demographics.

Riverline Light Rail

There have been no noise complaints since the Riverline Light Rail from Camden to Trenton started service.

THE COUNCIL MAY RECESS FOR THE SUMMER. MEMBERS WILL BE CONTACTED SHOULD AN ADDITIONAL MEETING BE NECESSARY TO CLARIFY THE NOISE CODE AMENDMENTS.